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10 SIERRA TOWING and GARY GONZALES

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13

14 EDWARD KEMPER and BRANDY
GILLMORE,

15 Plaintiffs,

16 v.
17

18 SIERRA TOWING, GARY GONZALES, and
19 LMD KIEFER WAREHOUSE LLC,

20 Defendants.
21

Case No. CIV.S-05-0158 MCE DAD

**STIPULATED MOTION TO
CONTINUE SETTLEMENT
CONFERENCE; ORDER THEREON**

Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 25, 2005
Trial Date: August 9, 2006

22 Plaintiffs EDWARD KEMPER and BRANDY GILLMORE, by and through their
23 undersigned counsel, and Defendants SIERRA TOWING and GARY GONZALES, by and
24 through their undersigned counsel, hereby stipulate to continuing the Settlement Conference,
25 presently set for January 12, 2006 at 10:00 a.m. before the Honorable Dale A. Drozd, and as
26 grounds therefore would state:
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1. On October 28, 2005, Plaintiffs filed a First Amended Complaint naming two additional defendants, to wit: GARY GONZALES, the owner of SIERRA TOWING, and LMD KIEFER WAREHOUSE LLC, the entity which owns one of the real properties at issue (9624 Kiefer Boulevard in Sacramento).
2. On December 20, 2005, Plaintiffs' counsel received a telephone call from the insurance carrier for Defendant LMD KIEFER WAREHOUSE LLC. Said carrier stated that it would need another thirty (30) days to get the file referred out to defense counsel so that a responsive pleading could be prepared and filed.
3. Since Defendant LMD KIEFER WAREHOUSE LLC has yet to file a responsive pleading, it would be appropriate to continue the Settlement Conference for three (3) months to allow for meaningful settlement negotiations with all parties present.
4. In light of the above, the parties request that the Settlement Conference be continued to a date in late April 2006.

IT IS SO STIPULATED

Dated: December 21, 2005

LAW OFFICES OF GRANT D. PEGG

By: /s/ Grant D. Pegg
GRANT D. PEGG
Attorneys for Defendants

Dated: December 21, 2005

CABLE LAW OFFICES

By: /s/ Keith D. Cable
KEITH D. CABLE
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD KEMPER and BRANDY
GILLMORE,

Plaintiffs,

v.

SIERRA TOWING, GARY GONZALES, and
LMD KIEFER WAREHOUSE LLC,

Defendants.

Case No. CIV.S-05-0158 MCE DAD

ORDER

Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 25, 2005

Trial Date: August 9, 2006

Having read the foregoing Stipulation, and good cause appearing therefore,

IT IS ORDERED THAT the Settlement Conference be continued to May 4, 2006, at
10:00 a.m., before the Honorable Dale A. Drozd.

Dated: December 28, 2005


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE